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TITLE 216 – DEPARTMENT OF HEALTH

CHAPTER 50 – ENVIRONMENTAL HEALTH

SUBCHAPTER 15 – HEALTHY ENVIRONMENT

PART 11 – Lead Training, Certification And Licensing

11.1 Authority

- A. These Regulations are promulgated pursuant to the authority conferred under R.I. Gen. Laws Chapters 23-1, 23-24.6, and 42-128.1 and 40 C.F.R Part 745 for the purpose of establishing the requirements for licensing or certification of lead training courses, lead inspectors, lead inspectors-in-training, lead assessors, lead contractors, lead supervisors, lead workers, and lead renovation firms.
- B. The following Regulations also provide procedures related to this Part:
1. Rules and Regulations Pertaining to the Fee Structure for Licensing Laboratory and Administrative Services provided by the Department of Health (Part [10-05-2](#) of this Title);
 2. Rules and Regulations Pertaining to Reporting of Infectious, Environmental and Occupational Diseases (Part [30-05-1](#) of this Title);
 3. Rules and Regulations for Certifying Analytical Laboratories (Part [60-05-5](#) of this Title);
 4. Rules and Regulations for Clinical Laboratories and Stations (Part [60-05-4](#) of this Title);
 5. Rules and Regulations Pertaining to Practices and Procedures Before the Department of Health (Part [10-05-4](#) of this Title);
 6. Rules and Regulations Relating to Equal Access to Justice (Part [10-05-3](#) of this Title);
 7. Rules and Regulations Governing Lead Hazard Mitigation ([860-RICR-00-00-2](#));
 8. Lead Poisoning Prevention Compliance and Enforcement (Part [3](#) of this Subchapter);
 9. Lead Inspections (Part 5 of this Subchapter); and

10. Lead Safe Work Practices (Part 12 of this Subchapter);

11.2 Definitions

- A. Wherever used in this Part, the terms listed below shall be construed in the following manner:
1. "Act" means R.I. Gen. Laws Chapter 23-24.6, Lead Poisoning Prevention.
 2. "Approved" means approved by the Department, State, or local authority having legal and administrative authority for such.
 3. "Department" means the Rhode Island Department of Health.
 4. "Director" means the Director of the Rhode Island Department of Health or his or her agents, subordinates to whom the Director has delegated the powers and duties vested in the Director by these Regulations.
 5. "Employ" means to use or engage the services of someone.
 6. "Environmental lead" means, for the purposes of this Part, inorganic lead contained in paint, dust, soil, and/or water.
 7. "EPA" means the United States Environmental Protection Agency.
 8. "Hands-on training or activities" means a training activity that involves active participation; applied, as opposed to theoretical, i.e. the hands-on portion of a lead training course which allows the student to practice specific techniques in a simulated or actual setting with equipment and supplies typically used in the profession. Hands-on training, by definition, must be completed in person.
 9. "HUD" means the United States Department of Housing and Urban Development.
 10. "Lead assessor" means a person, either authorized to act as an enforcing officer under the housing code or a designated employee of a federal, state or municipal agency with jurisdiction over housing, occupational health, child welfare and/or environmental standards who successfully completed a Lead Assessor training course and obtained a license, pursuant to this Part, to conduct lead inspections within the purview of their employment.
 11. "Lead contractor" means any person or entity engage in lead hazard reduction as a business and licensed pursuant to this Part.
 12. "Lead hazard" means a condition that presents a clear and significant health risk to occupants of a child care facility, single-family house,

dwelling unit and common areas, or premises, particularly where children reside. Lead concentrations in damaged paint, interior dust, bare soil, and/or drinking water which exceed the lead-safe thresholds in § 5.8 of this Subchapter are an immediate lead exposure hazard requiring corrective action at a regulated facility.

13. “Lead hazard control” or “LHC” means any window replacement and/or interim controls intended to correct lead hazards identified in a lead inspection report or standard treatments to remove lead-based paint and/or minimize lead exposure, which may include measures to reduce the concentration of lead in paint, dust, soil, and/or water using approved treatment methods specified in Part 12 of this Subchapter.
14. “Lead hazard reduction” or “LHR” means, as defined by R.I. Gen. Laws § 23-24.6-4, any action or actions designated to reduce exposure to toxic levels of lead which impose an unacceptable risk or exposure in any dwelling or dwelling unit, where a child under the age of six (6) years, with environmental intervention blood lead level or greater resides, or on any premises and may include, but is not limited to: repair, enclosure, encapsulation, or removal of lead based paint and/or lead contaminated dust, soil, or drinking water; relocation of occupants; and cleanup measures or ongoing maintenance measures, which may include activities and/or measures that do not present an undue risk to children under age six (6).
15. “Lead inspection” means any type of physical investigation of a child care facility single-family house, dwelling unit, or premises to identify the presence of environmental lead, lead hazards, or compliance with the cleaning requirements and lead standards in § 5.8 of this Subchapter for paint, dust, soil, and/or water.
16. “Lead inspector” means an individual, who successfully completed a certified Lead Inspector training course, passed the Lead Inspector Department examination, completed a supervised field apprenticeship, and obtained a license, pursuant to this Part, to conduct lead inspections.
17. “Lead inspector-in-training” means an individual who successfully completed a certified Lead Inspector training course, passed the Lead Inspector Department examination, and obtained a license, pursuant to this Part, to conduct a supervised apprenticeship to meet the requirements for a Lead Inspector license.
18. “Lead professional” means an occupational grouping of individuals and organizations licensed or certified pursuant to this Part.

19. “Lead renovation firm” means any person or organization engaged in renovation, repair, and painting (RRP) or lead hazard control (LHC) as a business and licensed pursuant to this Part.
20. “Lead renovator” means an individual who successfully completed a certified Lead Renovator training course and obtained a valid training certificate, pursuant to this Part, to perform renovation, repair, and painting (RRP) and lead hazard control (LHC) work.
21. “Lead supervisor” means an individual who successfully completed a certified Lead Supervisor training course, passed the Lead Supervisor Department examination, and obtained a license, pursuant to this Part, to perform and/or supervise lead hazard reduction (LHR) work.
22. “Lead training course” or “LTC” means a lead training course certified by the Department to meet the training prerequisite of a specific lead professional license issued by the Department or the certification requirement of a Lead Renovator.
23. “Lead worker” means an individual who successfully completed a certified Lead Worker training course and obtained a license, pursuant to this Part, to perform lead hazard reduction work.
24. “License” means an authorization granted by the Department to engage in a business or occupation that is subject to regulation by the Department. For the purposes of this Part, a registration, certification, permit or similar authorization issued by the Department is also considered to be a license.
25. “Occupant” means, as defined by R.I. Gen. Laws § 23-24.6-4, any person who legally resides in, or regularly uses, a dwelling, dwelling unit, or structure; provided, however, that a guest of any age shall not be considered an occupant for the purposes of this Chapter.
26. “Owner” means, as defined by R.I. Gen. Laws § 23-24.6-4, any person who, alone or jointly or severally with others:
 - a. Shall have legal title to any dwelling or dwelling unit with or without accompanying actual possession of it; or
 - b. Shall have charge, care, or control of any dwelling or dwelling unit as owner or agent of the owner or an executor, administrator, trustee, or guardian of the estate of the owner. Any person representing the actual owner shall be bound to comply with the provisions of this [Chapter](#) and with Rules and Regulations adopted pursuant to this Chapter to the same extent as if that person were the owner. An agent of the owner excludes real estate and property management functions where the agent is only responsible for the

property management and does not have authority to fund capital and/or major property rehabilitation on behalf of the owner.

- c. For purposes of publicly owned property only, the owner shall be defined to be the Chief Executive Officer of the municipal or State agency which owns, leases or controls the use of the property.
27. "Person" means any individual, partnership, firm, corporation, association, or organization, including municipal and State agencies.
28. "Renovation" means the modification of any existing structure, or portion thereof that results in the disturbance of lead-painted surfaces, unless that activity is performed as part of a lead hazard control (LHC) or lead hazard reduction (LHR) project. The term renovation includes, but is not limited to: the removal, modification or repair of painted surfaces or painted components (e.g. modification of painted doors, surface restoration, window repair); surface preparation activities such as sanding, scraping, or other such activities which may generate paint dust; the removal of building components (e.g. walls, ceilings, plumbing, windows); weatherization projects (e.g. cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planning thresholds to install weather-stripping); and interim controls that disturb lead-painted surfaces. A renovation performed for converting a building, or part of a building, into target housing or child care facilities is a renovation under this Part. The term renovation does not include minor repair and maintenance activities.
29. "Renovation, repair, and painting project" or "RRP project" means a project which is being done by a Lead Renovation Firm for purposes other than removing lead-based paint or correcting lead hazards (although it may result in this). The purpose of an RRP project is to ensure that that renovations performed at a regulated facility or for compensation at target housing are done safely and prevent lead exposure to owners, occupants and neighbors of the property where the work is performed. Any additional work which disturbs lead-based paint, other than emergency renovation operations, performed in the same room or area within the same thirty (30) day period must be considered the same RRP project for the purpose of determining whether the work is spot removal or renovation, repair, and painting (RRP).
30. "Supervised lead inspector-in-training" means a Lead Inspector-in-Training who is performing a field apprenticeship under the direct on-site supervision of a Department-approved Lead Inspector for the purpose of meeting the Lead Inspector licensing requirements of this Part.
31. "Temporary training facility" or "temporary training location" means a non-permanent training location approved by the Department for a lead training course certified pursuant to this Part.

32. "Training hour" means at least fifty (50) minutes of actual learning, including, but not limited to, time devoted to lecture, learning activities, demonstrations, evaluations, and hands-on experience.
33. "Training provider" means a person offering or conducting a lead training course certified pursuant to this Part.
34. "Treatments" means any methods designed to control or reduce lead exposure hazards. Treatments include lead abatement, interim controls, or a combination of both.

11.3 Certification Requirements for Lead Training Courses

11.3.1 Training Providers

- A. A training provider shall employ the following:
 1. A training manager, qualified pursuant to § 11.3.2 of this Part;
 2. One (1) or more individuals qualified as principal instructors pursuant to § 11.3.3 of this Part;
 3. One (1) or more individuals with work experience as a Lead Supervisor, Lead Worker, or Lead Renovator to teach the hands-on portion of a Lead Renovator training course;
 4. One (1) or more individuals with work experience as a Lead Supervisor to teach the hands-on portion of a Lead Supervisor or Lead Worker training course;
 5. One (1) or more individuals with work experience as a Lead Inspector/Lead Assessor to teach the hands-on portion of a Lead Inspector or Lead Assessor training course.
 6. Enough instructors to ensure that the student-to-instructor ratio for the hands-on training activities will not be greater than:
 - a. Eight to one (8:1) for a Lead Supervisor, Lead Worker, or Lead Renovator training course; or
 - b. Six to one (6:1) for a Lead Inspector or Lead Assessor training course.
- B. A training provider shall provide training site(s) with adequate facilities and training equipment, pursuant to § 11.3.6 of this Part, for the delivery of the course curriculum, including, but not limited to, lectures, power point presentations, demonstrations, hands-on training, and the course test.

- C. A training provider shall notify the Department of all scheduled, canceled, and completed Lead Training Courses, pursuant to § 11.3.8 of this Part.
- D. A training provider shall issue a unique course completion certificate, pursuant to § 11.3.11 of this Part, to each individual who successfully completes a Lead Training Course.
- E. A training provider shall permit the Department to audit any Lead Training Course, certified pursuant to this Section, and/or inspect all applicable records required in § 11.3.12 of this Part.
- F. A training provider shall not combine refresher and initial training courses and must maintain separate course certifications.

11.3.2 Training Managers

A. Training Manager Qualifications

1. The training manager shall meet the following education, training, and work experience requirements:
 - a. Successful completion of a “Train the Trainer” course approved by the Department; and
 - b. Experience, education, or training in lead inspections, lead hazard remediation, asbestos abatement, other related construction trades, industrial hygiene, occupational safety and health, or other related fields; and
 - c. A bachelor’s or graduate degree in education, public health, industrial hygiene, occupational safety and health, engineering, building construction, or a related field; or
 - d. A general education diploma (GED) or high school diploma and at least three (3) years of experience in managing a training program specializing in environmental hazards or occupational safety and health; or
 - e. A GED or high school diploma and at least three (3) years of experience, education, or training in designing, implementing and evaluating either employee educational programs or vocational educational programs for adults.
2. A training manager who meets the qualifications of § 11.3.2(A) of this Part may also be a principal instructor.
3. A training manager who meets the qualifications of §§ 11.3.2(A)(1)(c), (d) or (e) of this Part, as applicable, may also be a hands-on instructor.

B. Training Manager Responsibilities

1. Responsibilities of the training manager include the following:
 - a. All communications with the Department;
 - b. Ensuring that the certified Lead Training Course complies with all requirements of this Section;
 - c. Developing and implementing a quality control plan;
 - d. Development of the curriculum and organization of the course material, if using the training provider's own curriculum;
 - e. Designation and oversight of a principal instructor for each class;
 - f. Ensuring the qualifications of all hands-on instructors;
 - g. Conducting and documenting an annual review of the competency of each instructor;
 - h. Maintaining the validity and integrity of the hands-on skills assessment to ensure that it accurately evaluates the student's performance;
 - i. Maintaining the validity and integrity of the course test to ensure that it accurately evaluates the student's knowledge and retention of the course topics;
 - j. Ensuring compliance with the Department's Licensing of Radioactive Material (Part [40-20-7](#) of this Title), when applicable;
 - k. Providing the Department with a pre-certification inspection of the training facility, teaching methods and materials, and hands-on equipment and supplies; and
 - l. Maintaining timely course offering information and downloading all required completed course information into the Department's electronic reporting system, or other manner approved by the Department, pursuant to § 11.3.11 of this Part; and reporting and recordkeeping requirements pursuant to § 11.3.12 of this Part.

11.3.3 Principal Instructors

A. Principal Instructor Qualifications

1. Each principal instructor shall meet the following education, training, and work experience requirements:

- a. A GED, high school diploma, or higher degree;
 - b. Experience, education or training in teaching adults;
 - c. Experience, education, or training in lead inspections, lead hazard remediation, asbestos abatement, other related construction trades, industrial hygiene, occupational safety and health, or other related fields;
 - d. Successful completion of a related initial lead professional training course approved by the Department;
 - e. Successful completion of a related lead professional review course, completed by the instructor within the three (3) year period prior to submission of the application; and
 - f. Successful completion of a “Train the Trainer” course approved by the Department; and
 - g. For non-English courses, the principal instructor must be fluent in both English and the language in which the course is offered.
2. A principal instructor who meets the qualifications of §§ 11.3.2(A)(1)(c), (d) or (e) of this Part, as applicable, may also be a hands-on instructor.

B. Principal Instructor Responsibilities

1. Responsibilities of the principal instructor for each course include the following:
 - a. Teaching the course content and/or being physically present during all course instruction, including guest instructors and hands-on training activities;
 - b. Oversight of all guest instructors;
 - c. Verifying each student’s identity;
 - d. Assessing the student’s proficiency of the hands-on activities;
 - e. Administering the final course test;
 - f. Certifying all student records for performance and attendance;
 - g. Ensuring that students complete the course evaluation; and
 - h. Reporting any course deficiencies or training issues and providing feedback to the Training Manager regarding potential improvements.

11.3.4 Application Requirements

A. General Requirements

1. A separate lead training course application, provided by the Department, must be submitted for each lead training course which includes all information required on the application form and documentation of each applicable checklist item in paper and electronic format.
2. The application must demonstrate compliance with the requirements of § 11.3.4 of this Part to the satisfaction of the Department. If the Department determines that the application does not meet the requirements of this Section, the applicant will have thirty (30) days from the date of the Department's request to adequately respond to deficiencies in the application.
3. The certification will expire on the last day of the month, four (4) years from the date of issuance or renewal, unless sooner surrendered, suspended, or revoked.
4. The application package, including but not limited to any supporting documentation, must be submitted to the Department, in the form and manner approved by the Department.

B. Initial Application

1. An initial application must be submitted for review and approval by the Department at least ninety (90) days prior to the first Lead Training Course offering.
2. A pre-certification inspection may be required prior to final approval of the initial application.

C. Renewal Application

A complete renewal application must be submitted for review and approval by the Department at least sixty (60) days prior to the expiration of the current course certification.

D. Application Amendments

1. Changes to the training provider's contact information must be submitted in writing within thirty (30) days of the changes.
2. Training provider-initiated changes or additions to training personnel, training facilities, curriculums, or any other course materials or equipment require submission of an amended application, at least thirty (30) days in

advance of the proposed change(s), for review and approval by the Department.

- a. Each application must include a description of any changes to the training facility or course materials since the previous application was reviewed and approved.
 - b. Each application must include all items required in the lead training course checklist in electronic format. Paper copies of only those items that changed since the previous application submittal are required for review and approval by the Department.
3. The Department reserves the right to require changes to any lead training course curriculum and/or course test when significant changes in legislation, Regulations, research, policies, etc. warrant revisions. Notification of Department-initiated changes requires an implementation date not to exceed thirty (30) days from the date of the notification.

11.3.5 General Requirements for Lead Training Course Curriculums

- A. The Lead Worker, Lead Supervisor, Lead Assessor, Lead Renovator and Lead Inspector training courses must all include, as a minimum, instruction on the following topics as applicable to the specific license:
1. Basic background information on lead, including, but not limited to history of lead usage, sources of environmental lead contamination (e.g. paint, dust, water, soil), and other sources of lead exposure (e.g. ceramics, folk remedies, hobbies, occupational exposure);
 2. Health effects of exposure to lead including, but not limited to, how lead enters the body, how lead affects the body, symptoms and diagnosis of lead toxicity, blood lead levels of concern, and treatments for lead poisoning;
 3. Overview of applicable Department, HRC, DEM, EPA, HUD, and OSHA lead Regulations, including significant definitions;
 4. Overview of all environmental lead professional licenses issued by the Department, including the authority and restrictions of each one;
 5. Department-regulated facilities, persons, and activities;
 6. Department-approved lead testing methods and lead standards;
 7. Lead hazard identification, prioritization, and treatment options;
 8. Community relations, occupant protection, and worksite containment;

9. Introduction to worker protection including medical monitoring, personal protective equipment, respirator fit tests, and air monitoring;
 10. Prohibited work practices, approved work practices, waste storage and disposal requirements;
 11. Cleaning procedures, clearance inspections, and lead certificates;
 12. Available guidance, policies, and public educational materials; and
 13. Other topics as required by EPA/HUD and/or the Department.
- B. All initial lead training courses must have a hands-on skills assessment and all lead training courses must have a final course test.
- C. Additional topics for specific lead professional licenses are delineated in the Department's Lead Training, Certification, and Licensing Guidance document.
- D. Additional details on applications for non-English lead training courses are delineated in the Department's Lead Training, Certification, and Licensing Guidance document.

11.3.6 Training Facilities

- A. Facility Requirements
1. Training facilities must be conducive to learning, including, but not limited to, the following (when applicable):
 - a. Adequate seating, lighting, temperature control, and hygiene facilities;
 - b. Adequate electronic equipment and sound system for power point presentations and videos;
 - c. Adequate space and equipment for hands-on activities;
 - d. Availability of utilities and water required for hands-on activities, if applicable; and
 - e. Meeting all State and local safety and fire codes.
- B. Adding or Deleting a Facility
1. A training provider shall notify the Department in writing at least thirty (30) days prior to either:
 - a. Adding a permanent or temporary training location; or

- b. Vacating a previously approved permanent or temporary training location.
 - 2. A training provider shall either add or delete the training facility in the Department's electronic training reporting system.
 - a. New approved locations must be added in the reporting system within seven (7) days.
 - b. Vacated training locations must be deleted from the reporting system within thirty (30) days of vacating.
- B. The Department reserves the right to inspect any facility and/or equipment prior to final approval of the application.

11.3.7 Alternatives to Classroom Training

- A. For any lead training course, a training provider may propose using novel training approaches, such as online training, as part of their curriculum for the classroom portion of the training.
 - 1. In addition to complying with all course content requirements established by this Part, an electronic-learning (e-learning) format lead training course must follow the EPA Learning Management System requirements for providing the e-learning component content, as well as the Department's technical guidance for e-learning.
 - 2. Live, interactive virtual conferencing training sessions must have an in-person hands-on component in accordance with the EPA Learning Management System requirements for e-learning. The hands-on training activities, skills assessment, and course test must be completed in person.
 - 3. The application submittal must include a copy of the e-learning component in the form of a CD and/or a link to the webpage with login and password.
 - 4. A direct instructor-student contact of at least one (1) training hour must be provided for questions and review.
 - 5. The hands-on training activities, skills assessment, and course test must be completed in person.

11.3.8 Course Notification Requirements

- A. A training provider shall notify the Department, in a manner approved by the Department, of all in-person and virtual conferencing lead training courses as soon as a course has been scheduled and not less than seven (7) days prior to the scheduled start date. The notification must include the information specified in § 11.3.11(B) of this Part for each course.

- B. If it becomes necessary to cancel or reschedule a course for which a notification has been submitted to the Department pursuant to this Section, the training provider shall notify the Department not less than forty-eight (48) hours prior to the scheduled start date.
- C. A training provider shall notify the Department of all completed in-person lead training courses within seven (7) days of completion. The notification must include the information specified in § 11.3.11 of this Part for each student who registered for or attended the course.
 - 1. For pre-recorded online courses, pre-training notification is not required.
 - 2. For pre-recorded online courses, post-training notification is required. A training provider may submit post-training notifications to the Department on a monthly basis, by the seventh (7th) day of the following month, which includes the information specified in § 11.3.11 of this Part for each student who completed the course in the previous month.

11.3.9 Hands-on Skills Assessment

- A. The principal instructor shall administer a hands-on skills assessment, if applicable, at the completion of each course.
- B. Instructors shall allow each student to practice the required hands-on activity steps. The instructor shall watch each student, make corrections and suggestions as the steps proceed, and determine if additional practice is necessary.
- C. The principal instructor shall evaluate the work of each student and once the student can complete a skill set correctly, the principal instructor shall indicate by name that the student is proficient for that skill set on a participant progress log.
- D. The principal instructor shall document in writing each skill set for which a student has demonstrated proficiency. Once the student has demonstrated proficiency for all required hands-on activities, the principal instructor shall sign a verification that the student successfully completed the hands-on portion of the Lead Training Course.
- E. Each student must successfully complete the hands-on skills assessment, if applicable, in order to receive a course completion certificate.

11.3.10 Final Course Test

- A. The principal instructor shall administer a written course test at the completion of each course.
- B. A maximum of one (1) training hour is allowed for the course test.

- C. The principal instructor shall document the student's responses and the circumstances under which an oral course test is given to Lead Renovators or Lead Workers instead of a written test. The oral test must be reviewed and approved by the Department in advance.
- D. Each student must receive a passing score of at least seventy percent (70%) on the course test in order to receive a course completion certificate.

11.3.11 Training Reporting System

- A. All providers of Department-certified lead training courses shall report the training information, including but not limited to, training course, student information, and training certificate information, in a manner that is authorized by the Department.

1. Training Certificate

- a. A training provider shall issue a unique course completion certificate to everyone who completes a Lead Training Course and passes the hands-on skills assessment and course test.
- b. The course completion certificate must include, as a minimum:
 - (1) A unique identification number;
 - (2) Full name and address of the student;
 - (3) Lead training course and Department certification (LTC#);
 - (4) Date(s) of the course and date that the individual passed the course test, if other than the last day of the course;
 - (5) Expiration date of the certificate;
 - (6) Name, address, and telephone number of the training provider; and
 - (7) Language in which the training course was given. If the course test was in a language other than written English, the language and method of evaluation must also be included.
 - (8) For Lead Renovator Training Courses, the completion certificates must contain a photograph of the student pursuant to 40 C.F.R. Part 745.
- c. The course completion certificate must be provided to each student within seven (7) days of the course end date or the date that the student passed the course test, if other than the last day of the course.

11.3.12 Recordkeeping

- A. A training provider shall maintain, and make available to the Department upon request, a complete copy of the lead training course application submission(s) for each lead training course certification.
- B. A training provider shall maintain, and make available to the Department, upon request, the following records for each lead training course offering:
 - 1. Lead training course and Department certification (LTC#);
 - 2. Date(s) and location(s) of course;
 - 3. Principal instructor and guest instructors, if any;
 - 4. Class roster (including daily class attendance records bearing the signature of the principal instructor);
 - 5. Verification of student identity in the form of a current State driver's license, valid State photo ID card, or passport;
 - 6. Actual course tests, answer keys, and dates each test was given;
 - 7. Results of hands-on skills assessments and course tests;
 - 8. Information regarding how the hands-on assessment was conducted including, but not limited to:
 - a. The instructor who conducted the assessment;
 - b. Evaluation criteria; and
 - c. Facilities, equipment, and supplies utilized.
 - 9. Lead training course evaluations.
- C. A training provider shall maintain these records for at least five (5) years from each course end date or the date a student passed the course test, if other than the last day of the course.

11.4 Licensing Requirements for All Lead Professionals

11.4.1 Persons Required to be Licensed or Certified

- A. Persons who offer or conduct any lead training course for the purpose of licensure or certification as a lead professional in Rhode Island require a certification from the Department, in accordance with § 11.3 of this Part, for each lead training course.

- B. The lead professional license requirements of this Part are applicable to those organizations, including sole proprietorships and self-employed individuals, applying to be licensed as a:
 - 1. Lead Renovation Firm; or
 - 2. Lead Contractor.
- C. The lead professional license requirements of this Part are applicable to those individuals applying to be licensed as a:
 - 1. Lead Supervisor;
 - 2. Lead Worker;
 - 3. Lead Inspector;
 - 4. Lead Inspector-in-Training; or
 - 5. Lead Assessor.

11.4.2 General Requirements

- A. No person shall perform or offer to perform any lead professional services unless that person is specifically trained, certified, licensed, and/or approved by the Department to do so.
- B. No person shall employ another person to perform any lead professional services unless that person is specifically trained, certified, licensed, and/or approved by the Department to do so.
- C. Any person licensed by the Department to perform lead professional services shall include their applicable license number in all offers and/or advertisements to perform those services.

11.4.3 Lead Professional Licenses

- A. Pursuant to the provisions of the Act and the Department's delegation of authority from EPA, the Department shall issue a license or certification to an applicant who the Department determines meets the requirements of this Part.
- B. The Department may, at any time after the filing of an application, require further information in order to determine whether the applicant meets the requirements of this Part.
- C. The Department may deny an application for licensure pursuant to this Part if the Department determines that the applicant has not complied with or has not demonstrated the ability to comply fully with all applicable requirements established by the Act and/or this Part. If the applicant appeals the denial, a

hearing will be scheduled in accordance with the provisions of § [3.6.11](#) of this Subchapter.

- D. Upon request by the Department, applicants shall provide the Department with proof of identity prior to issuance of the initial license. Acceptable proof of identity includes a current State driver's license, valid State photo identification card, or current passport.
- E. An initial Lead Contractor, Lead Supervisor, Lead Worker, Lead Inspector, Lead Inspector-in-Training, or Lead Assessor license issued by the Department will expire on the last day of the month at the end of the two (2) year license term after the date of issuance, unless sooner surrendered, suspended, or revoked.
- F. A Lead Contractor, Lead Supervisor, Lead Worker, Lead Inspector, Lead Inspector-in-Training, or Lead Assessor license renewed by the Department will expire on the anniversary date of the initial license expiration at the end of the two (2) year license term, unless sooner surrendered, suspended, or revoked.
- G. An initial Lead Renovation Firm license issued by the Department will expire on the last day of the month at the end of the five (5) year license term after the date of issuance, unless sooner surrendered, suspended, or revoked.
- H. A Lead Renovation Firm license renewed by the Department will expire on the anniversary date of the initial license expiration at the end of the five (5) year license term, unless sooner surrendered, suspended, or revoked.
- I. A Lead Renovator certification from an in-person training course will expire five (5) years after the end date of the lead training course, unless sooner surrendered or decertified. A Lead Renovator certification from an online training course will expire three (3) years after the end date of the lead training course, unless sooner surrendered or decertified.
 - 1. Lead Renovators who utilize online review training must alternate with in-person hands on training. Lead Renovators can only take the online certification training every other time they are trained.
- J. The Department may restrict, limit, suspend, or revoke a Department-issued lead professional license or certification for failure to comply with the requirements of this Part. A person whose license or certification is restricted, limited, suspended, or revoked may request a hearing in accordance with the administrative procedures contained in § [3.6.11](#) of this Subchapter.

11.4.4 Lead Training Courses

Applicants shall complete an appropriate lead training course prior to submission of an application for a lead professional license.

11.4.5 Department License Examinations

- A. Applicants for a Lead Contractor, Lead Supervisor, or Lead Inspector/Lead Inspector-in-Training license shall pass a license-specific Department examination prior to submission of an initial license application.
- B. Applicants for a Department examination, including repeating a failed examination, shall register for the examination with the Department, or its third (3rd) party vendor, and provide the following on or before taking any examination:
 - 1. Proof of identity in the form of a current State driver's license, valid State photo identification card, or current passport; and
 - 2. Documentation of any prerequisites, including successful completion of the required lead training course.

11.4.6 Fees

All fees for applications and examinations are established in the Rules and Regulations Pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services provided by the Department of Health (Part [10-05-2](#) of this Title). All fees are non-refundable.

11.4.7 Penalties

Any person who owes an administrative fine or penalty imposed by a final order of the Department shall submit payment of the fine or penalty in full as a condition of licensure.

11.4.8 Initial License for Lead Professional

Applicants for an initial lead professional license shall submit all information specified on the Department's initial license application form and accompanying instructions.

11.4.9 License Renewal

- A. Applicants for a lead professional license renewal shall submit all information specified on the Department's renewal application form and accompanying instructions.
- B. The renewal application must be submitted for review and approval by the Department at least thirty (30) days prior to the expiration of the current license.
- C. A renewal application received after the license expiration date but less than twelve (12) months beyond its expiration date requires an additional late fee.
- D. A lead professional license more than twelve (12) months beyond the expiration date is not eligible for renewal but may be reinstated. Reinstatements must be done in a manner approved by the Department.

11.4.10 License Replacement

- A. Applicants for replacement of a lost or damaged lead professional license shall submit all requirements specified on the Department's license profile change form, available on the Department's website.
- B. Replacement fees are established in the Rules and Regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services provided by the Department of Health (Part [10-05-2](#) of this Title). All fees are non-refundable.

11.4.11 Notification of Changes

- A. A lead professional licensee, whose name (e.g. maiden to married), address, or contact information changes during the license term, shall notify the Department in writing within thirty (30) days of the change(s).
- B. A lead professional licensee shall submit an amended license application, for review and approval by the Department, before making any other change(s) that would render the information contained in a previous application no longer accurate.
- C. There is no fee for notification of the changes or amendments required in §§ 11.4.11(A) or (B) of this Part.
- D. Any lead professional licensee, whose ownership, business organization (e.g. sole proprietorship to corporation), social security number (SSN), or Federal employer identification number (FEIN) changes, is considered to be a new legal entity who shall surrender their current license and submit an appropriate initial license application to the Department with the application fee established in the Rules and Regulations Pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title).

11.5 License Requirements for Lead Renovation Firms and Certification Requirements for Lead Renovators

- A. Organizations, including sole proprietorships and subcontractors, and self-employed individuals shall be licensed by the Department as a Lead Renovation Firm in order to offer or perform renovation, repair, and painting (RRP) or lead hazard control (LHC) work in Rhode Island.
- B. A certified Lead Renovator shall only perform RRP or LHC work in Rhode Island under the authority of a Lead Renovation Firm licensed by the Department.
- C. A Lead Renovation Firm shall assign a certified Lead Renovator to supervise each RRP or LHC project and designate that individual on the Start Work Notification (Form PBLC-9), pursuant to § 12.4.1 of this Subchapter.

- D. A currently valid Lead Renovator training course completion certificate, pursuant to § 11.3.11(A)(1)(c) of this Part, constitutes certification as a Lead Renovator.
1. A Lead Renovator certification issued pursuant to a Department-certified lead training course is considered to be issued by the Department and may be restricted, limited, suspended, or revoked for failure to comply with the requirements of this Part.
 2. A Lead Renovator whose certification is restricted, limited, suspended, or revoked by the Department may request a hearing in accordance with the administrative procedures contained in § [3.6.11](#) of this Subchapter.
 3. A Lead Renovator whose certification is restricted, limited, suspended, or revoked by EPA or the EPA-authorized State, who issued the certification, is considered invalid for the purposes of this Part.
- E. A worker, trained by a certified Lead Renovator pursuant to § 12.3.2(B)(1)(c) of this Subchapter, shall only perform RRP or LHC work activities in Rhode Island under the direct on-site supervision of a certified Lead Renovator.
- F. No untrained workers shall perform any RRP or LHC work in Rhode Island.

11.6 License Requirements for Lead Contractors, Lead Supervisors, and Lead Workers

11.6.1 General Requirements

- A. Organizations, including sole proprietorships and subcontractors, and self-employed individuals shall be licensed by the Department as a Lead Contractor in order to offer or perform lead hazard reduction (LHR) work in Rhode Island.
- B. A Lead Supervisor or Lead Worker shall only perform LHR work under the authority of a Lead Contractor licensed by the Department.
- C. All individuals working on an LHR project shall be appropriately licensed by the Department.
- D. A Lead Contractor shall assign a Lead Supervisor to supervise each LHR project and designate that individual on the Start Work Notification (Form PBLC-9), pursuant to § 12.4.1 of this Subchapter.
- E. A Lead Worker shall only perform LHR work under the direct on-site supervision of a Lead Supervisor licensed by the Department.
- F. Any individual possessing a Lead Supervisor license issued by the Department is considered to also possess a Lead Worker license, for the purposes of this Part, and may assume the duties and responsibilities of a Lead Worker.

- G. All individuals working on an LHR project shall have documentation of compliance with the medical monitoring requirements specified in § 12.5.1 of this Subchapter.

11.6.2 License by Reciprocity for Lead Supervisors

- A. An individual who has a valid, equivalent Lead Supervisor license from the EPA or another EPA-authorized State may apply for an initial Lead Supervisor license. Applicants for a license by reciprocity shall submit an initial application with documentation of the following:
1. A lead supervisor license issued by the EPA or another EPA-authorized State, which the Department shall determine, in its discretion, whether that license is equivalent to a Lead Supervisor license issued by the Department;
 2. Proof of completion of an initial Lead Supervisor training course, accredited by the EPA or the EPA-authorized State who issued the Lead Supervisor license, which meets or exceeds the requirements of § 11.3 of this Part;
 3. An eight (8) hour review Lead Supervisor training course certified pursuant to § 11.3 of this Part successfully completed by the applicant;
 4. Proof of passing the Department's Lead Supervisor examination.
 5. Compliance with the medical monitoring requirements specified in § 12.5.1 of this Subchapter; and
 6. All other information required on the application form and accompanying instructions

11.6.3 License by Reciprocity for Lead Workers

- A. An individual who has a valid, equivalent Lead Worker license from the EPA or another EPA-authorized State may apply for an initial Lead Worker license. Applicants for a license by reciprocity shall submit an initial application with documentation of the following:
1. A Lead Worker license issued by the EPA or another EPA-authorized State, which the Department shall determine, in its discretion, whether that license is equivalent to a Lead Worker license issued by the Department;
 2. Proof of completion of an initial Lead Worker training course, accredited by the EPA or the EPA-authorized State who issued the Lead Worker license, which meets or exceeds the requirements of § 11.3 of this Part;

3. An eight (8) hour review Lead Worker training course certified pursuant to § 11.3 of this Part successfully completed by the applicant;
4. Compliance with the medical monitoring requirements specified in § 12.5.1 of this Subchapter; and
5. All other information required on the application form and accompanying instructions.

11.7 License Requirements for Lead Inspectors

11.7.1 General Requirements

- A. A Lead Inspector-in-Training shall conduct lead inspections for the purpose of meeting the initial Lead Inspector licensing requirements in § 11.7.1(C)(4) of this Part under the direct on-site supervision of a Department-approved Lead Inspector.
- B. Written approval from the Department must be obtained by a Lead Inspector prior to supervising a Lead Inspector-in-Training for the purpose of meeting the licensure requirements in § 11.7.1(C)(4) of this Part.
- C. Applicants for a Lead Inspector license shall submit their application, in a manner and format acceptable to the Department with documentation of the following:
 1. A current Lead Inspector-in-Training License;
 2. An eight (8) hour review Lead Inspector training course;
 3. Documentation of compliance with the Rules and Regulations for the Control of Radiation (Part [40-20-7](#) of this Title)
 4. A minimum of fifteen (15) Comprehensive Environmental Lead Inspections, performed at fifteen (15) distinct properties, five (5) LHR or LHC Clearance Inspections, and five (5) LHM Inspection, supervised by a Department-approved Lead Inspector, and performed in accordance with all requirements of this Part within the twelve (12) month period prior to submission of the Lead Inspector license application; and
 5. A satisfactory field audit and report review by the Department.
- D. Action against any lead professional license issued by the Department constitutes grounds for denial or revocation of the Department's approval to supervise a Lead Inspector-in-Training for the purpose of meeting the licensure requirements in § 11.7.1(C)(4) of this Part.

11.7.2 License by Reciprocity for Lead Inspectors

- A. An individual who has a Lead Inspector/Lead Assessor license from the EPA or another EPA-authorized State may apply for an initial Lead Inspector license. Applicants for a license by reciprocity shall submit an initial application with documentation of the following:
1. A Lead Inspector/Lead Assessor license issued by the EPA or another EPA-authorized State, which the Department shall determine, in its discretion, whether that license is equivalent to a Lead Inspector license issued by the Department;
 2. Proof of completion of an initial Lead Inspector/Lead Assessor training course, accredited by the EPA or the EPA-authorized State who issued the Lead Inspector/Lead Assessor license, which meets or exceeds the requirements of § 11.3 of this Part;
 3. Review and approval of the applicant's field experience, which the Department shall determine, in its discretion, whether the experience meets or exceeds the requirements of § 11.7.1(C)(4) of this Part;
 4. An eight (8) hour review Lead Inspector training course certified pursuant to § 11.3 of this Part successfully completed by the applicant;
 5. Proof of passing the Department's Lead Inspector license examination;
 6. Documentation of compliance with the Department's Licensing of Radioactive Material, Part [40-20-7](#) of this Title; and
 7. Five (5) lead hazard mitigation (LHM) Inspections, supervised by a Department-approved Lead Inspector and performed in accordance with all requirements of this Part; and
 8. A satisfactory field audit and report review by the Department; and
 9. All other information required on the application form and accompanying instructions.

11.7.3 Supervising Lead Inspector Approval

- A. Written approval from the Department must be obtained by a Lead Inspector prior to supervising a Lead Inspector-in-Training for the purpose of meeting the licensure requirements in § 11.7.1(C)(4) of this Part. Criteria for the Department approval include, but are not limited to, the following:
1. A Lead Inspector license issued by the Department for the three (3) year period prior to the request for approval;

2. Review and approval of lead certificates and inspection reports issued by the Lead Inspector during the three (3) year period prior to the request for approval; and
 3. A satisfactory field audit and report review by the Department.
- B. Action against any lead professional license issued by the Department constitutes grounds for denial or revocation of the Department's approval to supervise a Lead Inspector-in-Training for the purpose of meeting the licensure requirements in § 11.7.1(C)(4) of this Part.

11.7.4 Lead Inspectors-in-Training

- A. Applicants for a Lead Inspector-in-Training license shall submit their application, in a manner and format acceptable to the Department with documentation of the following:
1. A general education diploma (GED), high school diploma, or higher degree and a forty (40) hour initial Lead Inspector training course; or
 2. A forty (40) hour initial Lead Inspector training course, certified pursuant to § 11.3 of this Part, completed by the applicant; and
 3. The Department Lead Inspector examination passed by the applicant; and
 4. All other information required by the application form and accompanying instructions.

11.7.5 License Reciprocity for Lead Inspector-in-Training

- A. An individual, who has a Lead Inspector license issued by EPA or another EPA-authorized State, may apply for an initial Lead Inspector-in-Training license pursuant to § 11.7.2 of this Part. Applicants for a license by reciprocity shall submit an initial application, available on the Department's website, with documentation of the following additional requirements:
1. A Lead Inspector license issued by EPA or another EPA-authorized State which the Department shall determine, in its discretion, whether that license is equivalent to a Lead Inspector-in-Training license issued by the Department;
 2. An initial Lead Inspector training course, accredited by EPA or another EPA-authorized State who issued the license, which meets or exceeds the requirements of § 11.3 of this Part, completed by the applicant;
 3. An eight (8) hour review Lead Inspector training course, certified pursuant to § 11.3 of this Part, successfully completed by the applicant; and

4. The Department Lead Inspector examination passed by the applicant;

11.8 License Requirements for Lead Assessors

11.8.1 General Requirements

- A. A Lead Assessor shall be a designated employee of a Federal, State, or municipal agency with jurisdiction over housing, occupational health, child welfare, environmental standards and/or authorized to act as an enforcing officer under the State Property Maintenance Code (SB-6).
- B. A Lead Assessor shall conduct lead inspections only within the jurisdiction of his/her employer.
- C. Applicants for a Lead Assessor license shall submit their application, in a manner and format acceptable to the Department with documentation of the following:
 1. Proof of employment from the list in § 11.8.1(A) of this Part; and, either
 2. A current Lead Inspector license issued by the Department; or
 3. A sixteen (16) hour initial Lead Assessor training course.

11.8.2 Special Requirements for Issuing Lead Certificates

A Lead Assessor shall conduct five (5) Lead Hazard Mitigation (LHM) Inspections under the direct on-site supervision of a Department-approved Lead Inspector or Lead Assessor prior to obtaining access to the Department's electronic reporting system to issue Certificates of Lead Conformance (Form LHM-2-1).

11.9 Certification and Licensing Requirements for Laboratories Performing Lead Analysis

11.9.1 Blood Lead Analysis

No person shall provide or offer to provide analysis of lead concentration in blood, for the purpose of meeting the requirements of this Part, unless that person is licensed pursuant to the provisions of Part [60-05-5](#) of this Title and/or approved by the Department.

11.9.2 Environmental Lead Analysis

No person shall provide or offer to provide analysis of lead concentration in paint, dust, soil, water, or consumer products, for the purpose of meeting the requirements of this Part, unless that person is certified pursuant to the provisions of Part [60-05-5](#) of this Title and/or approved by the Department, and unless the certification specifically identifies lead as an authorized analyte.

11.10 Severability

If any provision of these Regulations, or the application thereof to any person or circumstance, is held to be invalid, such invalidity shall not affect other provisions or applications of the Regulations which can be given effect without the invalid provisions or applications and to this end the provisions are declared to be severable.

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TITLE 216 - DEPARTMENT OF HEALTH

CHAPTER 50 - ENVIRONMENTAL HEALTH

SUBCHAPTER 15 - HEALTHY ENVIRONMENT

PART 11 - LEAD TRAINING, CERTIFICATION AND LICENSING (216-RICR-50-15-11)

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